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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/096,811	06/12/1998	YU-HAI MAO	ESS.P002	2246

26379 7590 06/18/2003

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EXAMINER	
CHIEU, PO LIN	
ART UNIT	**PAPER NUMBER**
2615	14

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/096,811	MAO ET AL.
	Examiner	Art Unit
	Polin Chieu	2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 August 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-10 and 16-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-10 and 16-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-10, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori et al (6,208,802) in view of Jeong (6,130,988).

Mori et al discloses selecting a video for playback in the browser mode in figure 15; switching from the browser mode to a video mode (col. 22, lines 40-45); playing the video (col. 22, lines 40-45); and returning to the browser mode (col. 22, lines 49-53). However, Mori et al does not disclose that the switching step reserves a portion of a memory other than the disc; storing a return address in the memory; and storing a starting and ending address of the video in the memory.

Jeong teaches reserving a portion of a memory other than the disc (330) in figure 3; storing a return address (the return address has been interpreted as the address of the menu information 124 in figure 1B) in the memory (col. 4, line 63 col. 5, line 8); and storing the starting and ending address (control information 132) of the video in the memory (col. 5, lines 9-27).

It would have been highly desirable to reserve a portion of a memory other than the disc; store a return address in the memory; and store a start and end address in the memory so that the device does not have to jump back to the area on the disc in which

the control information (return address, start address, end address, etc.) is stored. The device would be faster since it would not have to jump to read the control information and/or calculate the start and end addresses (Mori et al, S154 and S156 in fig. 13B).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a reserved portion of a memory other that the disc to store a return address, start address, and end address in the device of Mori et al.

Regarding claim 3, Mori et al discloses playing the video from the starting and ending address (col. 22, lines 40-50).

Regarding claim 4, Mori et al discloses returning to a browser mode as discussed previously. Inherently the return address must be read and the return file must be loaded to properly generate the browser menu again. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to read the return address and load the return file in Mori et al.

Regarding claim 5, Mori et al discloses that a user (col. 22, lines 25-30) selects the video.

Regarding claim 6, most of the limitations recited in the claim were discussed in the art rejection of claim 1. Please refer to the art rejection of claim 1. Mori et al discloses loading data segments of a browser program (col. 22, lines 5-10) into a memory unit (100) in figure 1.

The limitations recited in claim 7 were discussed in the art rejection of claim 2. Please refer to the art rejection of claim 2.

The limitations recited in claim 8 were discussed in the art rejection of claim 3. Please refer to the art rejection of claim 3.

The limitations recited in claim 9 were discussed in the art rejection of claim 4. Please refer to the art rejection of claim 4.

The limitations recited in claim 10 were discussed in the art rejection of claim 5. Please refer to the art rejection of claim 5.

Regarding claims 16 and 18, a first mode (or browser mode) and a second mode (or video mode); switching from the first mode to the second mode and back to the first mode; reserving a portion of memory; storing a return address in the memory; and storing starting and ending addresses in the memory were discussed in the art rejection of claim 1. Mori et al discloses text and graphics in figure 5, and images (32b), video (32b), and audio (32c) on the disc in figure 3.

Regarding claim 17, Mori et al does not disclose reading the return address from the memory and loading a return file.

Jeong teaches reading a return address from the memory and loading a return file (col. 4, line 63 to col. 5, line 37).

It would have been highly desirable to have the return address read from the memory when loading a return file (or menu) so that the device saves time by reading the address from the memory instead of reading it from the disc.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to read the address from the memory and load a return file in the device of Mori et al.

Regarding claim 19, Mori et al discloses that the video is selected by a user (col. 22, lines 25-41).

Conclusion

3. This is a Continued Prosecution Application (CPA) of applicant's earlier Application No. 09/096811. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The request for deferral/suspension of action under 37 CFR 1.103 was approved 8/27/02; however, the time has expired thereby requiring action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-Th 8:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

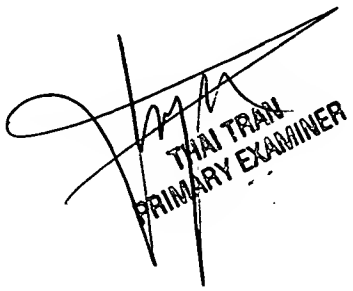
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



PC
June 11, 2003